

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

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Law and Judicial Department

Notification

LD/3537/72

The Coking Coal Mines (Nationalisation) Act, 1972 (36 of 1972), which was recently passed by Parliament and assented to by the President of India is hereby published for the general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 22nd September, 1972.

The Coking Coal Mines (Nationalisation) Act, 1972

ARRANGEMENT OF SECTIONS

CHAPTER I

Preliminary

Sections

1. Short title and commencement.
2. Declaration as to the policy of the State.
3. Definitions.

CHAPTER II

Acquisition of the rights of owners of coking coal mines and coke oven plants

4. Acquisition of rights in coking coal mines.
5. Acquisition of rights of owners of coke oven plants.
6. Central Government to be the lessee of the State Government.
7. Power of Central Government to direct vesting rights in a Government company.
8. Properties vesting in Central Government to be freed from mortgages, etc.
9. Central Government not to be liable for prior liabilities.

CHAPTER III

Payment of amount

10. Payment of amount to owners of coking coal mines.
11. Payment of amount to owners of coke oven plants.
12. Payment of further amount.
13. Income derived by the owners of coking coal mines and coke oven plants after the appointed day to be refunded to the Central Government.

CHAPTER IV

Management, etc., on coking coal mines and coke oven plants

14. Management, etc., of coking coal mines and coke oven plants.

Sections

15. Duty of persons in charge of management of coking coal mines or coke oven plants to deliver all assets, etc.
16. Accounts and audit.

CHAPTER V

Provisions relating to employees of coking coal mines and coke oven plants

17. Employment of certain employees to continue.
18. Provident fund.
19. Superannuation, welfare and other funds.

CHAPTER VI

Commissioner of Payments

20. Commissioner of Payments to be appointed.
21. Payment by the Central Government to the Commissioner.
22. Statement of accounts in relation to the period of management by the Central Government, etc.
23. Claims to be made to the Commissioner.
24. Disbursement of money by the Commissioner.
25. Amounts advanced by the Central Government how to be recovered.
26. Disputes how to be dealt with.
27. Undisbursed or unclaimed amounts to be deposited to the general revenue account.

CHAPTER VII

Miscellaneous

28. Effect of Act on other laws.
29. Contracts cease to have effect unless ratified by the Central Government.
30. Penalties.
31. Offences by companies.
32. Mining companies not to be wound up by court.
33. Delegation of powers.
34. Power to make rules.
35. Power to remove difficulties.
36. Coking coal mines to which the Act shall not apply.

THE FIRST SCHEDULE

THE SECOND SCHEDULE

The Coking Coal Mines (Nationalisation) Act, 1972

AN

ACT

to provide for the acquisition and transfer of the right, title and interest of the owners of the coking coal mines specified in the First Schedule, and the right, title and interest of the owners of such coke oven plants as are in or about the said coking coal mines with a view to reorganising and reconstructing such mines and plants for the purpose of protecting, conserving and promoting scientific development of the resources of coking coal needed to meet the growing requirements of the iron and

steel industry and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Twenty-third Year of the Republic of India as follows: —

CHAPTER I

Preliminary

1. **Short title and commencement.** — (1) This Act may be called the Coking Coal Mines (Nationalisation) Act, 1972.

(2) The provisions of sections 30 and 31 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 1st day of May, 1972.

2. **Declaration as to the policy of the State.** — It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles specified in clause (b) of article 39 of the Constitution.

Explanation. — In this section, "State" has the same meaning as in article 12 of the Constitution.

3. **Definitions.** — In this Act, unless the context otherwise requires, —

(a) "appointed day" means the 1st day of May, 1972;

(b) "coke oven plant" means the plant and equipment with which the manufacture of hard coke has been, or is being, carried on, and includes —

(i) all lands, buildings, works, machinery and equipment, vehicles, railways, tramways and sidings, belonging to, or in, the coke oven plant,

(ii) all workshops belonging to the coke oven plant, including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshops stand,

(iii) all coke in stock or under production, and other stores, stocks and instruments, belonging to the coke oven plant,

(iv) all power stations belonging to the coke oven plant or operated for supplying electricity for the purpose of working the coke oven plant or a number of coke oven plants,

(v) all lands, buildings and equipment belonging to the coke oven plant where the washing of coal is carried on,

(vi) all other fixed assets, movable or immovable, and current assets belonging to a coke oven plant, whether within its premises or outside.

Explanation. — "Current assets" do not include dues from sundry debtors, loans and advances to other parties and investments, not being investments in the coke oven plant;

(c) "coking coal mine" means a coal mine in which there exists one or more seams of coking coal, whether exclusively or in addition to any seam of other coal;

(d) "company" means a company as defined in section 3 of the Companies Act, 1956, and includes a foreign company within the meaning of section 591 of that Act;

(e) "Commissioner" means the Commissioner of Payments appointed under section 20;

(f) "Custodian" means the Custodian appointed under sub-section (2) of section 14, to take over, or carry on, the management of coking coal mine or coke oven plant;

(g) "date of assent" means the date on which assent is given by the President to this Act;

(h) "Government company" has the meaning assigned to it by section 617 of the Companies Act, 1956;

1 of 1956.

(i) "managing contractor" means the person, or body of persons, who, with the previous consent in writing of the State Government, has entered into an arrangement, contract or understanding, with the owner of a coking coal mine or coke oven plant under which the operations of the coking coal mine or coke oven plant are substantially controlled by such person or body of persons;

(j) "mine" means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, and includes —

(i) all borings and bore holes;

(ii) all shafts adjacent to, and belonging to, or in, a mine, whether in the course of being sunk or not;

(iii) all levels and inclined planes in the course of being driven,

(iv) all open cast working;

(v) all conveyors or aerial ropeways provided for bringing into or removal from a mine of minerals or other articles or for the removal of refuse therefrom;

(vi) all lands, buildings, works, adits, levels, planes, machinery and equipment, vehicles, railways, tramways and sidings belonging to, or in, or about, a mine;

(vii) all workshops belonging to, or in, a mine including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshops stand;

(viii) all coal in stock or in transit or under production and other stores, stock and instruments belonging to, or in, a mine;

(ix) all power stations belonging to, or in, a mine or operated for supplying electricity for the purpose of working the mine or a number of mines;

(x) all lands, buildings and equipment belonging to, or in, a mine where the washing of coal or manufacture of coke is carried on;

(xi) all other fixed assets, movable or immovable, and current assets, belonging to a mine, whether within its premises or outside.

Explanation. — "Current assets" do not include dues from sundry debtors, loans and advances to other parties and investments, not being investments in the coking coal mine;

(k) "Mineral Concession Rules" means the rules, for the time being in force, made under the Mines and Minerals (Regulation and Development) Act, 1957;

67 of 1957.

(l) "mining company" means a company owning a coking coal mine, and

in relation to a foreign company within the meaning of section 591 of the Companies Act, 1956, the undertaking of that company in India; 1 of 1956.

(m) "notification" means a notification published in the Official Gazette;

(n) "owner", —

(i) when used in relation to a mine, has the meaning assigned to it in the Mines Act, 1952, 35 of 1952.

(ii) when used in relation to a coke oven plant, means any person who is the immediate proprietor or lessee or occupier of the coke oven plant or any part thereof or is a contractor for the working of the coke oven plant or any part thereof;

(o) "prescribed" means prescribed by rules made under this Act;

(p) "scheduled bank" means a bank included for the time being in the Second Schedule to the Reserve Bank of India Act, 1934; 2 of 1934.

(q) "specified date" means such date as the Central Government may, for the purpose of any provision of this Act, by notification, specify; and different dates may be specified for different provisions of this Act;

(r) words and expressions used herein and not defined but defined in the Coal Mines (Conservation, Safety and Development) Act, 1952, have the meanings, respectively, assigned to them in that Act; 12 of 1952.

(s) words and expressions used herein and not defined in this Act or in the Coal Mines (Conservation, Safety and Development) Act, 1952, but defined in the Mines Act, 1952, shall have the meanings, respectively, assigned to them in the Mines Act, 1952. 12 of 1952. 35 of 1952.

CHAPTER II

Acquisition of the rights of owners of coking coal Mines and coke oven plants

4. Acquisition of rights in coking coal mines. —

(1) On the appointed day, the right, title and interest of the owners in relation to the coking coal mines specified in the First Schedule shall stand transferred to, and shall vest absolutely in, the Central Government, free from all incumbrances.

(2) For the removal of doubts, it is hereby declared that if, after the appointed day, any other coal mine is found, after an investigation made by the Coal Board, to contain coking coal, the provisions of the Coking Coal Mines (Emergency Provisions) Act, 1971, shall, until that mine is nationalised by an appropriate legislation, apply to such mine. 64 of 1971.

5. Acquisition of rights of owners of coke oven plants. — On the appointed day, the right, title and interest of the owners of each of the coke oven plants specified in the Second Schedule, being the coke oven plants which are situated in or about the coking coal mines specified in the First Schedule,

shall stand transferred to, and shall vest absolutely in, the Central Government, free from all incumbrances.

6. Central Government to be the lessee of the State Government. — (1) Where the rights of an owner under any mining lease granted, or deemed to have been granted, in relation to a coking coal mine, by a State Government or any other person, vest in the Central Government under section 4, the Central Government shall, on and from the date of such vesting, be deemed to have become the lessee of the State Government or such other person, as the case may be, in relation to such coking coal mine as if a mining lease in relation to such coking coal mine had been granted to the Central Government under the Mineral Concession Rules, the period of such lease being the entire period for which such lease could have been granted by the State Government or such other person under those Rules and, thereupon, all the rights under such mining lease, including surface, underground and other rights granted to the lessee shall be deemed to have been transferred to, and vested in, the Central Government.

(2) On the expiry of the term of any lease, referred to in sub-section (1), such lease shall, if so desired by the Central Government be renewed, on the same terms and conditions on which the lease was held on the appointed day, by the lessor for the maximum period for which such lease can be renewed under the Mineral Concession Rules.

7. Power of Central Government to direct vesting rights in a Government company. —

(1) Notwithstanding anything contained in sections 4 to 6 (both inclusive), the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by an order in writing, that the right, title and interest of an owner in relation to a coking coal mine or coke oven plant referred to, respectively, in section 4 or section 5 shall, instead of continuing to vest in the Central Government, vest in the Government company either on the date of publication of the direction or on such earlier or later date (not being a date earlier than the appointed day), as may be specified in the direction.

(2) Where the right, title and interest of an owner in relation to a coking coal mine or coke oven plant vest in a Government company under sub-section (1), the Government company shall, on and from the date of such vesting, be deemed to have become —

(a) the lessee in relation to such coking coal mine as if a mining lease in relation to such coking coal mine had been granted to the Government company under the Mineral Concession Rules, the period of such lease being the entire period for which such lease could have been granted under those Rules;

(b) the owner of the coke oven plant,

and all the rights and liabilities of the Central Government in relation to such coking coal mine or coke oven plant shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of the Government company.

(3) The provisions of sub-section (2) of section 6 shall apply to a lease which vests in a Government company as they apply to a lease vested in the Central Government and, reference therein to the Central Government shall be construed as reference to the Government company.

8. Properties vesting in Central Government to be freed from mortgages, etc.—(1) All property which vests in the Central Government or in a Government company under this Chapter shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other incumbrances affecting it and any attachment, injunction or decree or order of any court restricting the use of such property in any manner shall be deemed to have been withdrawn.

(2) Every mortgagee of any property which has vested under this Act in the Central Government or in a Government company, and every person holding any charge, lien or other interest in or in relation to any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

(3) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (1) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim payment of the mortgage money or other dues, in whole or in part, out of the amount specified in relation to such property in the First Schedule or the Second Schedule, as the case may be, but no such mortgage, charge or lien or other interest shall be enforceable against any such property of the Central Government or the Government company.

9. Central Government not to be liable for prior liabilities.—(1) Every liability of the owner, agent, manager, or managing contractor of a coking coal mine or coke oven plant, in relation to any period prior to the appointed day, shall be the liability of such owner, agent, manager or managing contractor, as the case may be and shall be enforceable against him and not against the Central Government or the Government company.

(2) For the removal of doubts, it is hereby declared that —

(a) save as otherwise provided elsewhere in this Act, no claim for wages, bonus, royalty, rate, rent, taxes, provident fund, pension, gratuity or any other dues in relation to a coking coal mine or coke oven plant in respect of any period prior to the appointed day, shall be enforceable against the Central Government or the Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to any coking coal mine or coke oven plant passed after the appointed day, but in relation to any matter, claim or dispute which arose before that day, shall be enforceable against the Central Government or the Government company;

(c) no liability for the contravention of any provision of law for the time being in force, made before the appointed day, shall be enforceable against the Central Government or the Government company.

CHAPTER III

Payment of amount

10. Payment of amount to owners of coking coal mines.—The owner of every coking coal mine or group of coking coal mines specified in the second column of the First Schedule, shall be given by the Central Government, in cash and in the manner specified in section 21, for vesting in it, under section 4, the right, title and interest of the owner in relation to such coking coal mine or group of coking coal mines, an amount equal to the amount specified against it in the corresponding entry in the fifth column of the said Schedule.

11. Payment of amount to owners of coke oven plants.—The owner of every coke oven plant specified in the second column of the Second Schedule, shall be given by the Central Government, in cash and in the manner specified in section 21, for vesting in it, under section 5, the right, title and interest of the owner in relation to such coke oven plant, an amount equal to the amount specified against it in the corresponding entry in the fifth column of the said Schedule.

12. Payment of further amount.—(1) In consideration of the retrospective operation of the provisions of section 4 and section 5, there shall be given by the Central Government, in cash, to the owner of every coking coal mine specified in the First Schedule or the owner of every coke oven plant specified in the Second Schedule, an amount equal to the amount which would have been, but for the provisions of the said section 4 or section 5, as the case may be, payable to such owner under the Coking Coal Mines (Emergency Provisions) Act, 1971, for the period commencing on the 1st day of May, 1972, and ending on the date of assent. 64 of 1971.

(2) In addition to the amount specified in sub-section (1), there shall be given by the Central Government, in cash, to the owner of every coking coal mine specified in the First Schedule and the owner of every coke oven plant specified in the Second Schedule, simple interest at the rate of four per cent. per annum on the amount specified against such owner in the corresponding entry in the fifth column of the First Schedule or the Second Schedule, as the case may be, for the period commencing on the date of assent and ending on the date of payment of such amount to the Commissioner.

(3) The amounts referred to in sub-section (1) and sub-section (2) shall be in addition to the amount specified in the First Schedule or the Second Schedule, as the case may be.

13. Income derived by the owners of coking coal mines and coke oven plants after the appointed day to be refunded to the Central Government.—(1) Where, in pursuance of any decree, order or injunction made by a court, the Central Government or the Custodian appointed under the Coking Coal Mines (Emergency Provisions) Act, 1971, was prevented 64 of 1971. from taking over the management of any coking coal mine or coke oven plant, the

owner of such coking coal mine or coke oven plant shall render, within sixty days from the date of assent, to the Central Government or the Government company, as the case may be, accounts, in relation to the period commencing on the appointed day and ending on the date of assent, with regard to the —

(a) assets or stores of the coking coal mine or coke oven plant acquired or sold by him during the said period;

(b) coal or coke sold or despatched during the said period;

(c) income derived by him from the coking coal mine or coke oven plant during the said period.

(2) If, on examination of the accounts referred to in sub-section (1), any income is found to have been derived by the owner from the coking coal mine or coke oven plant during the period referred to in that sub-section, such income shall be set off against the amount specified in the First Schedule or the Second Schedule, as the case may be, against the name of such owner, and the balance of such amount shall be paid to him.

(3) If no account is rendered by the owner of a coking coal mine or coke oven plant within the period referred to in sub-section (1) or if the Central Government or the Government company has any reason to believe that the account rendered by such owner is incorrect or false in material particulars, the Central Government or the Government company may refer the matter to the Commissioner and thereupon the Commissioner shall determine the income derived by the owner from the coking coal mine or coke oven plant during the period referred to in sub-section (1), and set off such income against the amount specified in the First Schedule or the Second Schedule, as the case may be, against the name of such owner and pay the balance to such owner.

CHAPTER IV

Management, etc., of coking coal mines and coke oven plants

14. Management, etc., of coking coal mines and coke oven plants. — (1) The general superintendence, direction, control and management of the affairs and business of a coking coal mine or coke oven plant, the right, title and interest of an owner in relation to which have vested in the Central Government under section 4 or section 5, as the case may be, shall, —

(a) in the case of a coking coal mine or coke oven plant, in relation to which a direction has been made by the Central Government under sub-section (1) of section 7, vest in the Government company specified in such direction, or

(b) in the case of a coking coal mine or coke oven plant, in relation to which no such direction has been made by the Central Government, vest in one or more Custodians appointed by the Central Government under sub-section (2),

and thereupon the Government company so specified or the Custodian so appointed, as the case may be, shall be entitled to exercise all such powers and do all such things as the owner of the coking coal mine or coke oven plant is authorised to exercise and do.

(2) The Central Government may appoint an individual or a Government company as the Custodian of a coking coal mine or coke oven plant in relation to which no direction has been made by it under sub-section (1) of section 7.

15. Duty of persons in charge of management of coking coal mines or coke oven plants to deliver all assets, etc. — (1) On the vesting of the management of a coking coal mine or coke oven plant in a Government company or on the appointment of a Custodian, all persons in charge of the management of such coking coal mine or coke oven plant immediately before such vesting or appointment, shall be bound to deliver to the Government company or Custodian, as the case may be, all assets, books of account, registers or other documents in their custody relating to the coking coal mine or coke oven plant, and any contract, whether express or implied, providing for the management of the coking coal mine or coke oven plant made before the appointed day between such persons and the owners of such coking coal mine or coke oven plant, shall be deemed to have terminated on the date on which the management of the coking coal mine or coke oven plant vests in the Government company or the Custodian so appointed.

(2) The Central Government may issue such directions as it may deem desirable in the circumstances of the case to the Government company or Custodian as to its or his powers and duties and the Government company or Custodian may, also if it or he so desires, apply to the Central Government at any time for instructions as to the manner in which the management of the coking coal mine or coke oven plant shall be conducted by it or him or in relation to any other matter arising in the course of such management.

(3) The Custodian shall receive from the funds of the coking coal mine or coke oven plant, as the case may be, in relation to which he or it is the Custodian, such remuneration as the Central Government may fix and shall hold office during the pleasure of the Central Government.

16. Accounts and audit. — The Custodian of every coking coal mine or coke oven plant shall maintain the accounts of such mine or plant in such manner and under such conditions as may be prescribed.

CHAPTER V

Provisions relating to employees of coking coal mines and coke oven plants

17. Employment of certain employees to continue. — (1) Every person who is a workman within the meaning of the Industrial Disputes Act, 1947, and has been, immediately before the appointed day, in the employment of a coking coal mine or coke oven plant, shall become, on and from the appointed day, an employee of the Central Government, or, as the case may be, of the Government company in which the right, title and interest of such mine or plant have vested under this Act, and shall hold office or service in the coking coal mine or coke oven plant, as the case may be, on the same terms and conditions and with the same rights to pension, gratuity and other matters as

14 of 1947.

would have been admissible to him if the rights in relation to such coking coal mine or coke oven plant had not been transferred to, and vested in, the Central Government company, as the case may be, and continue to do so unless and until his employment in such coking coal mine or coke oven plant is duly terminated or until his remuneration, terms and conditions of employment are duly altered, by the Central Government or the Government company.

(2) The Central Government or the Government company in which the right, title and interest in relation to a coking coal mine or coke oven plant have vested, may employ, on mutually acceptable terms and conditions, any person who is not a workman within the meaning of the Industrial Disputes Act, 1947, and who has been, immediately before the appointed day, in the employment of a coking coal mine or coke oven plant, and on such employment the said person shall become an employee of the Central Government or the Government company, as the case may be. 14 of 1947.

(3) Save as otherwise provided in sub-sections (1) and (2), the services of every person employed by the owner or occupier of a coking coal mine or coke oven plant before the appointed day shall stand terminated on and from the specified date.

(4) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force, the transfer of the services of any officer or other employee from a coking coal mine or coke oven plant to any other coking coal mine or coke oven plant shall not entitle such officer or other employee to any compensation under this Act or any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority. 14 of 1947.

(5) Where, under the terms of any contract of service or otherwise, any person whose service becomes terminated, or whose service becomes transferred to the Central Government or a Government company by reason of the provisions of this Act, is entitled to any payment by way of gratuity or retirement benefit or for any leave not availed of, or any other benefits, such person may enforce his claim against the owner of the coking coal mine or coke oven plant, as the case may be, but not against the Central Government or the Government company.

18. Provident fund.—(1) Where a coking coal mine or coke oven plant has established a provident fund for the benefit of its employees, the monies relatable to the employees, whose services have become transferred, by or under this Act, to the Central Government or a Government company, shall, out of the monies standing, on the appointed day, to the credit of such provident fund, stand, transferred to, and vest in, the Central Government or the Government company, as the case may be.

(2) The monies which stand transferred, under sub-section (1), to the Central Government or a Go-

vernment company shall be dealt with by that Government or company, as the case may be, in such manner as may be prescribed.

19. Superannuation, welfare and other funds.—Where a superannuation, welfare or other fund has been established for the benefit of the employees whose services stand transferred to the Central Government or a Government company, the coking coal mine or coke oven plant, by which such employees were employed, shall distribute the amount due to each such employee as if employee had superannuated, or his services with the coking coal mine or coke oven plant had terminated, on the day immediately preceding the specified date.

CHAPTER VI

Commissioner of Payments

20. Commissioner of Payments to be appointed.—(1) For the purpose of disbursing the amounts payable to the owner of each coking coal mine or coke oven plant, the Central Government shall appoint such person as it may think fit to be the Commissioner of Payments.

(2) The Central Government may appoint such other persons as it may think fit to assist the Commissioner.

(3) The salaries and allowances of the Commissioner and other persons appointed under this section shall be defrayed out of the Consolidated Fund of India.

21. Payment by the Central Government to the Commissioner.—(1) The Central Government shall, within thirty days from the specified date, pay, in cash, to the Commissioner, for payment to the owner of a coking coal mine or coke oven plant, a sum equal to the sum specified against the coking coal mine or coke oven plant, as the case may be, in the First Schedule or the Second Schedule together with the amount and interest, if any, referred to in section 12.

(2) In addition to the sum referred to in sub-section (1), the Central Government shall pay, in cash, to the Commissioner, such amount as may become due to the owner of a coking coal mine or coke oven plant in relation to the period during which the management of the coking coal mine or coke oven plant remained vested in the Central Government.

(3) The Commissioner shall open and operate an account in a scheduled bank in respect of each coking coal mine or coke oven plant.

(4) Every amount paid to the Commissioner shall be deposited to the credit of the account, referred to in sub-section (3), of the coking coal mine or coke oven plant to which the payment relates.

(5) Interest accruing on the amount standing to the credit of the account referred to in sub-section (3) shall enure to the benefit of the owner of the coking coal mine or coke oven plant, as the case may be.

(6) References in this section to the owner of a coking coal mine shall, in relation to a group of coking coal mines specified in the First Schedule, be construed as references to the owner of that group of coking coal mines.

22. Statement of accounts in relation to the period of management by the Central Government, etc. — (1) The Central Government or the Government company, as the case may be, shall cause the books in relation to each coking coal mine or coke oven plant, the management of which has vested in it under the Coking Coal Mines (Emergency Provisions) Act, 1971, to be closed and balanced as on the 30th day of April, 1972, and shall cause a statement of accounts, as on that day, to be prepared, within such time, in such form and in such manner as may be prescribed, in relation to each such mine or plant in respect of the transactions effected by it during the period for which the management of such coking coal mine or coke oven plant remained vested in it: 64 of 1971.

Provided that where two or more coking coal mines or coke oven plants were owned, before the commencement of this Act, by the same owner, a consolidated statement of accounts may be prepared for all the coking coal mines or coke oven plants owned by such owner.

(2) All amounts received by the Central Government or the Government company after the closure of such accounts shall, where such amounts relate to transactions effected before the appointed day, be included in the said statement of accounts in respect of the coking coal mine or coke oven plant to which the said receipt relates.

(3) The Central Government or the Government company in which the right, title and interest of the coking coal mine or coke oven plant stands vested shall be entitled to receive, up to the specified date, to the exclusion of all other persons, any money, due to the coking coal mine or coke oven plant, as the case may be, realised after the appointed day notwithstanding that the realisations pertain to a period prior to the appointed day:

Provided that where such realisations have not been included in the statement of accounts as on the 30th day of April, 1972, a supplementary statement of accounts shall be prepared and furnished, at such intervals as may be prescribed, by the Central Government or the Government company to the owner of the coking coal mine or the coke oven plant, as the case may be.

(4) The liabilities of the coking coal mine or the coke oven plant (not being liabilities arising out of advances made by the Central Government or Government company), which could not be discharged by the appointed day, may be discharged by the Central Government or the Government company up to the specified date, and every payment made for the settlement with the owner shall be included in the statement of accounts as on the 30th day of April, 1972, indicating therein the period in relation to which the payments were made:

Provided that the liabilities in relation to the period prior to the appointed day, which have not been discharged on or before the specified date, shall be the liabilities of the owner of the coking coal mine or the coke oven plant, as the case may be.

(5) A copy of each statement of accounts prepared under this section shall be delivered by the Central

Government or the Government company, as the case may be, to the Commissioner and also to the owner:

Provided that where the number of owners is more than one, only one copy of the statement of accounts shall be given to the owners for the benefit of all of them.

(6) The statement of accounts prepared under this section shall be audited by a person who is qualified to be appointed as an auditor of a company under section 226 of the Companies Act, 1956, and the auditor so appointed shall receive, from the funds of the coking coal mine or coke oven plant, as the case may be, such remuneration as the Central Government may fix. 1 of 1956.

(7) The audit of the statement of accounts shall be conducted in such manner as the Central Government may direct.

23. Claims to be made to the Commissioner. —

(1) Every person having a claim against the owner of a coking coal mine or coke oven plant prefer such claim before the Commissioner within thirty days from the specified date:

Provided that if the Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of thirty days, he may, on the expiry of the said period of thirty days, entertain the claim within a further period of thirty days, but not thereafter.

(2) Notwithstanding anything contained in any other law for the time being in force, there shall be paid in priority to all other unsecured debts, not being the amounts advanced by the Central Government or the Custodian appointed under the Coking Coal Mines (Emergency Provisions) Act, 1971, for the management of the coking coal mine or coke oven plant, as the case may be, — 64 of 1971.

(a) all wages or salary (including wages payable for time or piece work and salary earned wholly or in part by way of commission) of any employee, in respect of services rendered to the coking coal mine or coke oven plant, as the case may be, and any compensation payable to any workman under any provisions of Chapter VA of the Industrial Disputes Act, 1947; 14 of 1947.

(b) all amounts due, in respect of contributions payable during the twelve months next before the appointed day, under the Coal Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 or any other law for the time being in force; 46 of 1948.

(c) all amounts due in respect of any compensation or liability for compensation under the Workmen's Compensation Act, 1923 in respect of the death or disablement of any employee of the coking coal mine or coke oven plant unless such mine or plant has, under such a contract with insurers as is mentioned in section 15 of the said Act, 8 of 1923.

rights capable of being transferred to, and vested in, the workmen;

(d) all sums due to any employee from a provident fund, pension fund or gratuity fund or any other fund established for the welfare of the employees of the coking coal mine or coke oven plant; and

(e) all sums due to the State Government as royalty, rent or dead rent, as the case may be.

(3) The debts specified in sub-section (2) shall rank equally among themselves and be paid in full, unless the assets are insufficient to meet them, in which case they shall abate in equal proportions and be paid accordingly.

(4) The Commissioner shall fix a certain date on or before which every claimant shall file the proof of his claim or be excluded from the benefit of the disbursements made by the Commissioner.

(5) Not less than fourteen days' notice of the date so fixed shall be given by advertisement in one issue of the daily newspaper in the English language and one issue of such daily newspaper in the regional language as the Commissioner may consider suitable, and every such notice shall call upon the claimant to file the proof of his claim with the Commissioner within the time specified in the advertisement.

(6) Every claimant who fails to file the proof of his within the time specified by the Commissioner shall be excluded from the disbursements made by the Commissioner.

(7) The Commissioner shall, after such investigation as may, in his opinion, be necessary and after giving the owner of the coking coal mine or coke oven plant, as the case may be, an opportunity of refuting the claim and after giving the claimant a reasonable opportunity of being heard, in writing admit or reject the claim in whole or in part.

(8) The Commissioner shall have the power to regulate his own procedure in all matters arising out of the discharge of his functions including the place or places at which he will hold his sittings and shall, for the purpose of making any investigation under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely: —

(a) the summoning and enforcing the attendance of any witness and examining him on oath;

(b) the discovery and production of any document or other material object producible as evidence;

(c) the reception of evidence on affidavits;

(d) the issuing of any commission for the examination of witnesses.

(9) Any investigation before the Commissioner shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXXV of the Code of Criminal Procedure, 1898.

(10) A claimant who is dissatisfied with the decision of the Commissioner may prefer an appeal against the decision, to the principal civil court of original jurisdiction within the local limits of whose jurisdiction the coking coal mine or coke oven plant, as the case may be, is situated.

24. Disbursement of money by the Commissioner.

— Where the total amount of the claim admitted by the Commissioner does not exceed the total amount of the money credited to the account of a coking coal mine or coke oven plant, every such admitted claim shall rank equally among themselves and be paid in full, and the balance, if any, shall be paid to the owner, but where such amount is insufficient to meet in full the total amount of the admitted claims, every such claim shall abate in equal proportions and be paid accordingly.

25. Amounts advanced by the Central Government

how to be recovered. — Every amount advanced by the Central Government or the Custodian, as the case may be, for the management of a coking coal mine or coke oven plant shall be recovered from the income derived by such coking coal mine or coke oven plant in respect of the period during which the management of such mine or plant remained vested in the Central Government:

Provided that where such income is insufficient to meet in full the total amount of the advances made by the Central Government or the Custodian for the management of the coking coal mine or coke oven plant, the Central Government may make a claim to the Commissioner for the deficiency of the amount so advanced and the claim in respect of such deficiency shall have priority over the claims of all other unsecured creditors of the coking coal mine or coke oven plant.

Explanation. — In this section, "Custodian" means the Custodian appointed under the Coking Coal Mines (Emergency Provisions) Act, 1971.

64 of 1971.

26. Disputes how to be dealt with. — (1) In the event of there being a doubt or dispute as to the right of a person to receive the whole or any part of the amount referred to in sections 10, 11 and 12, the Commissioner shall refer the matter to the court for a decision, and shall make the disbursements in accordance with the decision of the Court.

(2) In relation to a coking coal mine or coke oven plant, the operations of which were, immediately before the 17th day of October, 1971 under the control of a managing contractor, the amount specified in the First Schedule against such coking coal mine or in the Second Schedule against such coke oven plant shall be apportioned between the owner of the coking coal mine or coke oven plant and such managing contractor in such proportions as may be agreed upon by or between the owner and such managing contractor, and in the event of there being no such agreement, in such proportions as may be determined by the court.

Explanation. — In this section, "court", in relation to a coking coal mine or coke oven plant, means the principal civil court of original jurisdiction within the local limits of whose jurisdiction the coking coal mine or coke oven plant is situated.

27. **Undisbursed or unclaimed amounts to be deposited to the general revenue account.**— Any money paid to the Commissioner which remains undisbursed or unclaimed after such payment for a period of three years shall be transferred by the Commissioner to the general revenue account of the Central Government; but a claim to any money so transferred may be preferred to the Central Government by the person entitled to such payment and shall be dealt with as if such transfer had not been made, the order, if any, for payment of the claim being treated as an order for the refund of revenue.

CHAPTER VII

Miscellaneous

28. **Effect of Act on other laws.**— The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

29. **Contracts cease to have effect unless ratified by the Central Government.**— (1) Every contract entered into by the owner or occupier of any coking coal mine or coke oven plant for any service, sale or supply before the appointed day shall, on and from the expiry of one hundred and twenty days from the date of assent, cease to have effect unless such contract is, before the expiry of that period, ratified, in writing, by the Central Government and in ratifying such contract the Central Government may make such alterations or modifications therein as it may think fit:

Provided that the Central Government shall not omit to ratify a contract unless it is satisfied that such contract is unduly onerous or has been entered into in bad faith or is detrimental to the interests of the coking coal mine or coke oven plant.

(2) The Central Government shall not omit to ratify a contract or make any alteration or modification therein except after giving to the parties to the contract a reasonable opportunity of being heard and except after recording in writing its reasons for refusal to ratify the contract.

30. **Penalties.**— Any person who, —

(a) having in his possession, custody or control of any property forming part of the undertaking of any coking coal mine or coke oven plant referred to in the First Schedule or the Second Schedule, as the case may be, wrongfully withholds such property from the Central Government or Government company, or

(b) wrongfully obtains possession of, or retains, any property forming part of the undertaking of any coking coal mine or coke oven plant referred to in the First Schedule or the Second Schedule, as the case may be, or wilfully withholds or fails to furnish to the Central Government or any person specified by that Government, any document relating to such coking coal mine or coke oven plant, which may be in his possession, custody or control, or fails to deliver to the Custodian any assets, books of account, registers or other documents in his custody relating to the coking coal mine or

coke oven plant in respect of which a Custodian has been appointed, or

(c) wrongfully removes or destroys any property of any coking coal mine or coke oven plant or prefers any claim under this Act in relation to such mine or plant, which he knows or has reasonable cause to believe to be false or grossly inaccurate,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

31. **Offences by companies.**— (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section, —

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

32. **Mining companies not to be wound up by court.**— No proceeding for the winding up of a mining company, the right, title and interest in relation to the coking coal mine or coke oven plant owned by which have vested in the Central Government or in a Government company under this Act or for the appointment of a receiver in respect of such business, shall lie in any court except with the consent of the Central Government.

33. **Delegation of powers.**— (1) The Central Government may, by notification, direct that all or any of the powers exercisable by it under this Act may also be exercised by any person or persons as may be specified in the notification.

(2) Whenever any delegation of power is made under sub-section (1), the person to whom such power has been delegated shall act under the direction, control and supervision of the Central Government.

34. **Power to make rules.**— (1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the manner in which the coking coal mines or coke oven plants shall be managed by a Government company or a Custodian;

(b) the manner in which provident fund monies referred to in section 18 shall be dealt with;

(c) the form and manner in which the statement of accounts referred to in section 22 shall be prepared;

(d) any other matter in relation to which such rule is required to be, or may be, made.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so,

however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

35. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of assent.

36. Coking coal mines to which the Act shall not apply.— Nothing in this Act shall apply to any coking coal mine—

(a) owned or managed by a Government company or corporation owned or controlled by Government;

(b) owned or managed by a company engaged in the production of iron or steel:

Provided that this section shall not extend to such mine or part thereof which, in the opinion of the Central Government, is in excess of the requirements for the production of iron and steel by that company.

THE FIRST SCHEDULE

(See sections 4 and 10)

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
1.	Dhori (EB-1)	Post Office Bermo, District Hazaribagh.	Ownership under dispute.	6,77,500
2.	Kalyani Selected Kar- gali (EB-2)	Post Office Pichri, District Hazaribagh.	Gouri Shanker and Others, Post Office Bermo, Hazaribagh.	7,19,000
3.	Khas Dhori (EB-3)	Post Office Pichri, District Hazaribagh.	Khas Dhori Colliery Company, Post Office Ka- trasgarh, Dhanbad.	4,07,000
4.	Pipradih (EB-4)	Post Office Gomia, District Hazaribagh.	Pacific Coal Company, Post Office Gomia, Dis- trict Hazaribagh.	14,13,500
5.	Pichri (EB-5)	Post Office Pichri, District Hazaribagh.	Pichri Colliery Company Private Limited, Post Office Bermo, Hazaribagh.	3,21,800
6.	Selected Dhori (EB-6)	Post Office Bermo, District Hazaribagh.	Selected Dhori Colliery, Post Office Katrasgarh, Dhanbad.	7,43,500
7.	Turiyo (EB-7)	Post Office Turiyo, District Hazaribagh.	Bhubaneswar Singh and Shivdayal Rathi, Post Office Jharia, Dhanbad.	5,74,000
8.	Tarmi (EB-8)	Post Office Turiyo, District Hazaribagh.	Tarmi Colliery Company, Industrial Bank Build- ing, Post Office Jharia, Dhanbad.	8,30,500
9.	Albion (J-1)	Post Office Karmatand	Albion Colliery Company, Post Office Karma- tand, Dhanbad.	4,02,000
10.	Bokaro Jharia (J-2)	Post Office Karmatand	Messrs. Agarwalla Brothers, Post Office Kar- matand, Dhanbad.	4,64,000
11.	North Damuda (J-3)	Post Office Nudkhurkee	Hazaribagh Coal Syndicate Private Limited, Post Office Jharia, Dhanbad.	8,39,300
12.	Kessurgarh (J-4)	Post Office Nudkhurkee	Manbhoom Coal Syndicate Limited, Post Office Jharia, Dhanbad.	27,50,000
13.	Madhuband (J-5)	Post Office Nudkhurkee	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta — 1.	1,97,99,500
14.	Kankanee (J-67)	Post Office Bansjora		
15.	Pootkee (J-69)	Post Office Kusunda		
16.	Amlabad (J-188)	Post Office Bhowrah		
17.	Bhowrah North (J-189)	Post Office Bhowrah		
18.	Bhowrah South (J-190)			
19.	Mohalbani (J-191)			
20.	Begunia (R-6)	Post Office Barakar, District Burdwan.		

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
21.	Khas Benedih (J-6)	Post Office Nawagarh	K. C. Mukherjee and Others, Post Office Hira- pur, Dhanbad.	2,88,000
22.	Benedih (J-7)	Post Office Nudkhurkee	Benedih Coal Concern, Post Office Katras, Dhanbad.	3,03,000
23.	Khas Ganeshpur (J-8)	Post Office Nawagarh	Khas Ganeshpur Coal Mines Limited, 135, Can- ning Street, Calcutta.	37,500
24.	Ganeshpur (J-9)	Post Office Nawagarh	Ganeshpur Coal Company Private Limited, Post Office Ganeshpur, Dhanbad.	37,500
25.	Ashakuti Phularitand (J-10)	Post Office Kharkharee	Ashakuti Coal Company Limited, 1/1, Rowland Road, Calcutta — 20.	18,19,000
26.	Mohanpur (J-11)	Post Office Kharkharee	Shrimati Parbati Devi, Post Office Kharkharee, Dhanbad.	5,000
27.	New Bansora (J-12)	Post Office Kharkharee	S. K. Sahana and Sons Private Limited, Post Office Kharkharee, Dhanbad.	1,49,000
28.	Khas Bhurangya (J-13)	Post Office Mohuda	Khas Bhurangya Coal Company, Post Office Jharia, Bhanbad.	5,000
29.	Raneedih/Pipratand (J-14)	Post Office Mohuda	Shri K. L. Sablok, C/o Sudarasan Motors, Post Office Dhansar, Dhanbad.	35,000
30.	East Mucheraidih(J-15)	Post Office Mohuda	East Mucheraidih Coal Company Limited, Post Office Jharia, Dhanbad.	5,000
31.	New Huntodih (J-16)	Post Office Mohuda	New Huntodih Coal Company Limited, 178, Mahatma Gandhi Road, Calcutta — 1.	21,300
32.	Bhatdee (J-19)	Post Office Mohuda	Bengal Bhatdee Coal Company Limited, 14, Netaji Subhas Road, Calcutta.	19,60,800
33.	Kharkharee (J-20)	Post Office Kharkharee	Bharat Mining Corporation Limited, 91, Stephen House, Dalhousie Square East, Calcutta — 1.	19,66,000
34.	New Sinidih (J-21)	Post Office Kharkharee	Messrs. Bamandiha Coal Company Limited, 3, Synagogue Street, Calcutta — 1.	39,500
35.	Dharmaband (J-22)	Post Office Katrasgarh	H. M. Barat and M. C. Barat, Post Office Ka- trasgarh, Dhanbad.	16,300
36.	New Dharmaband(J-23)	Post Office Malkera	Sethia Mining and Manufacturing Company Limited, 4, Bakul Bagan Road, Calcutta.	12,05,000
37.	Sinidih (J-25)	Post Office Katrasgarh	Sinidih Colliery Concern Private Limited, Post Office Katrasgarh, Dhanbad.	5,13,500
38.	Tundoo Khas (J-26)	Post Office Tundoo	J. P. Lala & Sons Collieries Private Limited, Post Box No. 76, Dhanbad.	4,79,000
39.	Bilbera (J-27)	Post Office Katrasgarh	B. N. Mondal and Company, 22, Canning Street, Calcutta.	3,93,500
40.	Jealgora Govindpur (J-28)	Post Office Sonardih	Jealgora Govindpur Colliery Company Limited, Post Office Sonardih, Dhanbad.	2,90,500
41.	South Govindpur (J-29)	Post Office Katrasgarh	H. I. Pathak, Post Office Katrasgarh, Dhanbad.	4,22,500
42.	Diamond Tettuliya (J-30)	Post Office Sonardih	Bihar Collieries Limited, District Dhanbad.	5,000
43.	Central Tetturya (J-31)	Post Office Malkera	Sri Tarapada Lodha & Others, Post Office Ka- trasgarh, District Dhanbad.	7,500
44.	New Tentulia (J-32)	Post Office Malkera	Tentulia Khas Colliery Company Limited, 25, Brabourne Road, Calcutta.	16,86,500
45.	Central Kooridih So- nardih (J-33)	Post Office Katrasgarh	Central Kooridih Colliery Company, Post Office Katrasgarh, Dhanbad.	12,23,500
46.	New Gobindpur (J-34)	Post Office Sonardih	New Gobindpur Coal Company Limited, 33, Can- ning Street, Calcutta — 1.	13,92,300
47.	Khat Mehtadih (J-35)	Post Office Katrasgarh	Messrs. Khas Mehtadih Colliery Company, Post Office Katrasgarh, Dhanbad.	13,80,000
48.	Agardih (J-36)	Post Office Katrasgarh	Agardih Colliery Company, Post Office Katras- garh, District Dhanbad.	3,78,800
49.	Katras Choitodih (J-37)	Post Office Katrasgarh	Burrakar Coal Company Limited, Chartered Bank Building, Calcutta — 1.	1,68,56,000
50.	Mudidih (J-62)	Post Office Sijua		
51.	Badruchuk (J-63)			
52.	Loyabad (J-68)	Post Office Bansjora	Lakurka Coal Company Limited, 3, Synagogue Street, Calcutta.	7,27,000
53.	Lakurka (J-38)	Post Office Katrasgarh		
54.	Koiludih (J-39)	Post Office Katrasgarh	Messrs. East Katras Colliery Company Private Limited, Post Office Katrasgarh, Dhanbad.	20,08,000
55.	East Katras (J-41)			
56.	Khas Govindpur (J-40)	Post Office Katrasgarh	Khas Govindpur Coal Company Private Limited, Post Office Katrasgarh, Dhanbad.	2,65,000

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
57.	East Salanpur (J-42)	Post Office Katrasgarh	East Salanpur Colliery Company, Post Office Katrasgarh, Dhanbad.	2,97,500
58.	Joint Salanpur (J-43)			
59.	Khas Salanpur (J-44)			
60.	North Salanpur (J-45)	Post Office Katrasgarh	Sahal Brothers (Receiver H. S. Sahal), Post Office Katrasgarh, Dhanbad.	1,00,000
61.	Selected Salanpur (J-46)	Post Office Katrasgarh	Selected Salanpur Colliery Company, Post Office Katrasgarh, Dhanbad.	5,000
62.	Central Salanpur (J-47)	Post Office Katrasgarh	Central Salanpur Coal Concern, Post Office Katrasgarh, Dhanbad.	1,84,500
63.	Lakurka Khas (J-48)	Post Office Katrasgarh	Bharat's Debutter Estate, Post Office Katrasgarh, Dhanbad.	1,96,800
64.	Salanpur (J-49)	Post Office Katrasgarh	M/s. New Lakurka Colliery Company and Shrimati Sarojini Devi, Post Office Katrasgarh, Dhanbad.	4,14,500
65.	New Lakurka (J-50)			
66.	National Angarpathra (J-51)	Post Office Katrasgarh	National Coal Company Private Limited, 48/1, Ram Tarun Bose Lane, Calcutta—6.	2,89,000
67.	Union Angarpathra (J-52)	Post Office Sijua	Union Coal Company Limited, 135, Biplabi Rash Behari Basu Road, Calcutta—1.	4,51,000
68.	Gaslitam (J-53)	Post Office Sijua	New Manbhum Coal Company, 138, Biplabi Rash Behari Basu, Road, Calcutta—1.	12,42,000
69.	Ramkanali (J-54)	Post Office Katrasgarh	Bijali Kanti Roy, Keshalpur House, Post Office Katrasgarh, Dhanbad.	4,70,000
70.	Trigunalt (J-55)	Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office Katrasgarh, Dhanbad.	16,20,000
71.	Kanta Pahari (J-56)			
72.	Khas Angarpathra (J-57)			
73.	Jharia Khas (J-58)			
74.	East Angarpathra (J-59)			
75.	Mahabir Angarpathra (J-60)	Post Office Katrasgarh	Diamond Angarpathra Colliery Company, Post Office Katrasgarh, Dhanbad.	5,000
76.	Diamond Angarpathra (J-61)			
77.	Jogta (J-64)	Post Office Sijua	Jogta Coal Company Limited, Post Office Sijua, Dhanbad.	6,82,000
78.	Sendra (J-65)	Post Office Bansjora	Messrs. Hind Shippers Limited, 135, Biplabi Rash Behari Basu Road, Calcutta—1.	9,99,000
79.	Sendra Bansjora-Gopal Gararia (J-66)	Post Office Bansjora	Messrs. Sendra Bansjora Colliery Company Private Limited, 135, Canning Street, Calcutta—1	18,29,000
80.	North Ekra (J-78)			
81.	Gararia (J-79)			
82.	Gopalichuk (West) (J-70)	Post Office Kusunda	Central Kirkend Coal Company Limited, 91, Stephen House, Dalhousie Square East, Calcutta—1.	6,94,000
83.	Central Kirkend (J-71)			
84.	Motiram's Kirkend (J-72)	Post Office Kusunda	Motiram Roshanlal Coal Company Private Limited, Kusunda, Dhanbad.	48,800
85.	Khas Kirkend (J-73)	Post Office Kusunda	Phuramal Agarwal, Post Office Dhansar, Dhanbad.	18,800
86.	Kirkend (J-74)	Post Office Kusunda	New Marine Coal Company (Bengal) Limited, 111, Chittaranjan Avenue, Calcutta.	16,24,000
87.	New Marine (J-75)			
88.	Bansdeopur (J-77)	Post Office Kusunda	New Bansdeopur Coal Company Limited, 28-B, Netaji Subhas Road, Calcutta.	4,44,500
89.	Central Gararia (J-80)	Post Office Bansjora	Central Gararia Colliery Company Private Limited, Post Office Bansjora, Dhanbad.	58,800
90.	Gararia (J-81)	Post Office Bansjora	Tikmani and Company, Post Office Bansjora, Dhanbad.	1,34,000
91.	Chhota Bowa (J-82)	Post Office Bansjora	Chhota Bowa Colliery Company Limited, Post Office Bansjora, Dhanbad.	3,27,500
92.	Murulidih (J-17)	Post Office Mohuda	Kalyanji Mavji Company, 14, Netaji Subhas Road, Calcutta—1.	21,33,000
93.	West Bhuggatdih (J-95)	Post Office Jharia		
94.	Industry (J-96)	Post Office Dhansar		
95.	West Ena (J-97)	Post Office Dhansar		

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
96.	Murulidih 20 and 21 Pits. (J-18)	Post Office Mohuda	Bengal Coal Company Limited, 8, Clive Row, Calcutta — 1.	49,49,000
97.	Chanch (R-3)	Post Office Chirkunda, District Dhanbad.		
98.	Maheshpur (J-24)	Post Office Katrasgarh	Messrs. Sahu Minerals and Properties Limited, A-3, Prithviraj Road, Jaipur.	29,68,000
99.	Ekra Khas (J-76)	Post Office Kusunda		
100.	Busseriya (J-83)	Post Office Kusunda	Busseriya Coal Company (Private) Limited, 13, Radha Bazar Lane, Calcutta — 1.	4,29,500
101.	Busseriya North and South (J-85)			
102.	East Ekra (J-84)	Post Office Bansjora	East Ekra Coal Company, C/o K. Worah, Jora Bangalow Dhanbad.	11,300
103.	North Busseriya (J-86)	Post Office Bansjora	North Busseriya Colliery Company, Post Office Bansjora, Dhanbad.	1,75,300
104.	Surendra East Loyabad (J-87)	Post Office Kirkend	Surendra East Loyabad Colliery Company, Post Office Jharia, Dhanbad.	1,24,500
105.	Gondudih (J-88)	Post Office Kusunda	Central Alkusa Colliery Company, Post Office Kusunda, Dhanbad.	3,57,000
106.	Dhariajoba (J-89)	Post Office Kirkend	M/s. H. D. Agarwalla & Sons, Post Office Jharia, Bihar.	13,65,000
107.	West Godhur (J-90)	Post Office Kusunda		
108.	Godhur (J-91)	Post Office Kusunda	Godhur Colliery Company, Post Office Kusunda, Dhanbad.	33,07,000
109.	Pure Kustore (J-92)	Post Office Kusunda	Pure Kustore Colliery Company, Post Office Kusunda, Dhanbad.	19,27,500
110.	Nayadee Kusunda (J-93)	Post Office Kusunda	Kusunda Nayadee Colliery Company (Private) Limited, Post Office Kusunda, Dhanbad.	27,42,000
111.	Kusunda (J-94)	Post Office Kusunda	Not available.	5,000
112.	Kendwadih (J-98)	Post Office Kusunda	East India Coal Company Limited, Post Office Jealgora, Dhanbad.	93,28,500
113.	South Bulliary (J-101)	Post Office Kusunda		
114.	Jealgora (J-184)	Post Office Jealgora		
115.	Bararee Joyarampur (J-168)			
116.	Bararee (J-185)	Post Office Kusunda	Not available.	22,500
117.	Balihari C.T.C. (J-99)		Balihari Colliery Company Limited, 14, Netaji Subhas Road, Calcutta — 1.	6,53,000
118.	Kutchi Balihari (J-100)	Post Office Kusunda	The Borrea Coal Company Limited, Chartered Bank Building, Calcutta — 1.	32,58,000
119.	Bhagaband (J-102)	Post Office Bhagaband	Sri Biswanath Roy, Keshalpur House, Post Office Katrasgarh, Dhanbad.	12,90,500
120.	Gonshadih (J-104)	Post Office Kusunda	Equitable Coal Company Limited, 1/2, Lord Sinha Road, Calcutta — 16.	98,800
121.	Kendwadih (J-103)	Post Office Bhaga		
122.	Bhutgoria (J-109)		Raneegunge Coal Association Limited, 3A, Cho- wringhee Place, Calcutta — 13.	91,95,000
123.	Hurriladih (J-110)	Post Office Kustore		
124.	Alkusa South (J-105)		Shri P. Roy, Director and nominated owner, Bhalgora Coal Company, 3, Synagogue Street, Calcutta.	4,93,000
125.	Kustore (J-106)	Post Office Jharia		
126.	Burragarh (J-107)		Bengal Nagpur Coal Company, 5, Synagogue Street, Calcutta — 1.	6,47,000
127.	Pure Burragarh (J-108)	North West Coal Company Limited, 5, Synago- gue Street, Calcutta — 1.		
128.	Simlabahal (J-111)		Post Office Dhansar	
129.	Bhuggatdih (J-112)	Post Office Dhansar	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.	17,08,000
130.	Ena (J-113)	Post Office Dhansar		
131.	East Bhalgora (J-114)	Post Office Jharia		
132.	Khas Jharia (J-115)			
133.	East Ena (J-116)			
134.	East Bhuggatdih (J-117)			
135.	Selected Khas Jharia (J-118)			
136.	Selected Jharia (J-119)			
137.	Selected Model Jharia (J-121)			

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
138.	Bhargora (J-120)	Post Office Jharia	Bhargora Coal Company Limited, 3, Synagogue Street, Calcutta --- 1.	4,86,000
139.	New Khas Jharia (J-122)	Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.	15,000
140.	Fularibad (J-123)			
141.	Sonalibab (J-138)			
142.	Rajapur (J-125)	Post Office Jharia	Rajapur Colliery Company Limited, Post Office Jharia, Dhanbad.	2,39,000
143.	Khas Bhuggatdih (J-126)	Post Office Jharia	Khas Bhuggatdih Colliery Company, Post Office Jharia, Dhanbad.	2,67,000
144.	New Pure Jharia (J-124)	Post Office Jharia	D. D. Thacker and Sons, Dhanbad.	10,000
145.	Pure Jharia (J-127)			
146.	K. P. Dobari (J-128)	Post Office Jharia	K. P. Dobari, Post Office Jharia.	54,300
147.	South Jharia (J-129)	Post Office Jharia	J. K. Banerjee and Others, Post Box No. 46, Hirapur, District Dhanbad.	1,45,800
148.	Model Jharia (J-133)			
149.	East Pure Jharia (J-130)	Post Office Jharia	Owner not known.	5,000
150.	Dobari (J-131)	Post Office Jharia	R. N. Bagchi and Brothers, 5/8, Middle Row, Calcutta.	3,42,300
151.	East Model Jharia (J-132)	Post Office Jharia	Not available	5,000
152.	Golden Jharia (J-134)	Post Office Jharia	Khora Ramji, Post Office Jharia, Dhanbad.	5,000
153.	Fatehpur (J-135)	Post Office Jharia	G. K. Dossa and Company, Post Office Jharia, Dhanbad.	5,000
154.	Pure Durgapur (J-136)	Post Office Jharia	Pure Durgapur Colliery Company Private Limited, Post Office Jharia, Dhanbad.	5,000
155.	Khas Jharia (J-137)	Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.	5,000
156.	Ganhoodih (J-139)	Post Office Jharia	S. B. Banerjee and Sons, Post Office Jharia, Dhanbad.	27,52,000
157.	East Jharia (J-140)	Post Office Jharia	Not available.	5,000
158.	K. P. Kujama (J-141)	Post Office Jharia	Jayantilal Keshavji Bale, Dave House, Joraphatak, Post Office Dhansar, Dhanbad.	96,800
159.	Kujama (J-142)			
160.	North Kujama (J-143)	Post Office Jharia	Ganji Dossa and Company, Post Office Jharia, Dhanbad.	63,500
161.	Central Kujama (J-144)	Post Office Jharia	Central Kujana Coal Concern, Post Office Jharia, Dhanbad.	5,26,000
162.	Nanji Kujama (J-145)			
163.	Pandebera (J-146)			
164.	Pure Kujama (J-147)			
165.	Kujama Pandebera (J-148)	Post Office Jharia	Bagdigi, Kujama Collieries Company (1964) Limited, Post Office Jharia, Dhanbad.	25,84,000
166.	South Kujama (J-149)			
167.	Goluckdih (J-150)	Post Office Jharia	Goluckdih Colliery Company, 22, Burtolla Street, Calcutta.	13,96,000
168.	South Goluckdih (J-151)	Post Office Jharia	Messrs. Khimji Dossa and Sons, Post Office Jharia, Dhanbad, and South Goluckdih Coal Company, Post Office Jharia, Dhanbad.	8,78,500
169.	Central Jharia (J-152)			
170.	Indian Jharia (J-153)			
171.	Lower Upper Jharia (J-154)	Post Office Jharia	Khimji Dossa & Sons, Post Office Jharia, Dhanbad.	1,33,300
172.	Central Tisra (J-155)	Post Office Jharia	Shri K. D. Singh, Post Office Jharia, Post Box No. 111, Dhanbad.	2,71,000
173.	Tisra (D. D.) (J-156)	Post Office Jharia	Dhanji Devji and Sons, Post Office Jharia, Dhanbad.	2,72,800
174.	Tisra (Diamond) (J-157)	Post Office Jharia	The Diamond Coal Company Limited, Post Office Jharia, Dhanbad.	2,56,000
175.	Tisra (A. G.) (J-158)	Post Office Jharia	Amarsing Gowamal & Sons, Post Box No. 47, Jharia, Dhanbad.	3,38,500
176.	Sree Commercial (J-159)	Post Office South Tisra	Bengal Jharia Colliery Company Private Limited, Post Office South Tisra, Dhanbad.	8,50,000
177.	Bengal Jharia (J-160)			

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
178.	East India (J-161)	Post Office Khas Jeenagora.	Khas Joyrampur Colliery Company, Post Office Khas Jeenagora, Dhanbad.	31,51,000
179.	Khas Joyrampur (J-163)			
180.	Lower Joyrampur (J-165)			
181.	Pure Joyrampur (J-169)	Post Office Tisra	South Tisra Colliery Company Private Limited, Post Office Jharia, Dhanbad.	6,68,000
182.	South Tisra (J-162)			
183.	Kalithan Jeenagora (J-164)	Post Office Khas Jeenagora.	K. B. Seal and Sons, 28, Raja K. L. Goswami Street, Post Office Serampur, District Hooghly (West Bengal).	4,42,500
184.	Kalithan Suratand (J-175)	Post Office Jharia		
185.	New Jeenagora (J-166)	Post Office Khas Jeenagora.	Khas Jeenagora Colliery Limited, 135, Biplabi Rash Bihari Basu Road, Calcutta — 1.	8,99,000
186.	Central Jeenagora (J-167)			
187.	North Bararee Jeenagora (J-170)			
188.	Khas Jeenagora (J-171)	Post Office Khas Jeenagora.	Jeenagora East Bararee Colliery Company, Post Office Khas Jeenagora, Dhanbad.	3,05,500
189.	Sri Jeenagora (J-173)			
190.	East Bararee (J-172)	Post Office Khas Jeenagora.	Not available.	5,000
191.	New Suratand (J-174)	Post Office Jharia		
192.	Niluri Patra (J-176)	Post Office Jharia	Niluri Patra Coal Company Limited, Post Office Jharia, Dhanbad.	5,000
193.	North Burrakar Suratand (J-177)	Post Office Jharia	The New Standard Coal Company (Private) Limited, 27, Palace Court, 1, Kyd. Street, Calcutta — 16.	1,12,500
194.	North Burrakar Lodna (J-178)			
195.	Lodna (J-179)			
196.	Standard (J-180)	Post Office Bhaga	Standard Coal Company, Post Office Bhaga, Dhanbad.	24,800
197.	Lodna (J-181)	Post Office Jharia	Londa Colliery Company (1920) Limited, 6, Lynos Range, Calcutta.	81,80,800
198.	Madhuban Lodna (J-182)			
199.	Bagdigi (J-183)	Post Office Patherdih	Bhulanbararee Coal Company, 4, Clive Row, Calcutta — 1.	15,13,300
200.	Bhulanbararee (J-186)			
201.	Lachmi (J-187)	Post Office Patherdih	Lachmi Coal company, 31, Mullick Street, Calcutta.	76,500
202.	Central Bhowrah (J-192)	Post Office Bhowrah	Central Bhowrah Coal Company, Post Office Jharia, Dhanbad.	30,000
203.	Sitanala (J-193)	Post Office Bhojudih	Mohatta Brothers, 19, British Indian Street, Calcutta — 1.	56,300
204.	East Bhowra (J-194)	Post Office Patherdih	Shrimati Jyotsna Devi, Post Office Sitarampur, District Burdwan.	3,49,000
205.	East Sowardih (J-195)	Post Office Patherdih	J. N. Supakar Bhothers and Company, Post Office Patherdih, Dhanbad.	5,000
206.	Patherdih (J-196)	Post Office Patherdih	Patherdih Sudamdih Colliery (Private) Limited, Post Office Patherdih, Dhanbad.	56,500
207.	New Sudamdih (J-197)	Post Office Patherdih	New Sudamdih Colliery Company, Post Office Patherdih, Dhanbad.	1,97,000
208.	Selected Patherdih (J-198)	Post Office Patherdih	Selected Patherdih Coal Company Limited, 12, Tarachand Dutta Street, Calcutta — 1.	13,000
209.	New Chasnalla (J-199)	Post Office Jharia	New Chasnalla Coal Concern, Post Office Jharia, Dhanbad.	5,000
210.	Pure Chasnalla (J-200)	Post Office Patherdih	Pure Chasnalla Colliery Company, 192, Cross Street, Calcutta — 7.	49,800
211.	Junkundar (R-1)	Post Office Chirkunda, District Dhanbad.	D. Mondal and Company Limited, Post Office Dishergarh, District Burdwan, West Bengal.	1,56,000
212.	Laikdih Deep (R-2)	Post Office Chirkunda, District Dhanbad.	Katras-Jharia Coal Company Limited, 8, Clive Row, Calcutta — 1.	16,53,000
213.	Victoria (R-4)	Post Office Kult, District Burdwan.	New Birbhoom Coal Company Limited, 8, Clive Raw, Calcutta — 1.	23,38,300
214.	Victoria West (R-5)			

Note:— The number specified, in brackets, against the name specified in the second column indicates the corresponding serial number of the coking coal mine in the First Schedule to the Coking Coal Mines (Emergency Provisions) Act, 1971 (64 of 1971). The abbreviations "EB" stand for "East Bokaro Coalfield"; "J" stands for Jharia Coalfield and "R" stands for "Raneegunge Coalfield".

THE SECOND SCHEDULE

(See sections 5 and 11)

Sl. No.	Name of the coke oven plant	Location of the coke oven plant	Name and address of the owners of the coke oven plant	Amount (in rupees)
1	2	3	4	5
1.	Bararee Coke Plant	South Balliary-Kendwadih Colliery, Post Office Kusunda, District Dhanbad.	Bararee Coke Company Limited, 4, Clive Row, Calcutta — 1.	21,42,000
2.	Bhowra Coke Plant	Bhowra South Colliery, Post Office Bhowra, District Dhanbad.	Messrs. Bhowra Coke Company, Battacharya's House, Lubi Circular Road, Dhanbad.	11,76,900
3.	Bhulanbararee	Bhulanbararee Colliery, Post Office Patherdih, District Dhanbad.	Bararee Coke Company Limited, 4, Clive Row, Calcutta — 1.	2,03,500
4.	Central Bhowra	Central Bhowra Colliery, Post Office Bhowra, District Dhanbad.	Central Bhowra Coal Company (Private) Limited, Post Office Jharia; and G. D. Kumar and Sons, Bastacolla, Post Office Dhansar, Dhanbad.	2,98,000
5.	Central Kooridih	Central Kooridih-Sonardih Colliery, Post Office Katrasgarh, Dhanbad.	Shivram Singh and Company (Private) Limited, Post Office Katrasgarh, District Dhanbad.	1,50,000
6.	Junkundar Valley Beehive Coke Plant.	Junkundar Colliery, Post Office Chirkunda, District Dhanbad.	D. Mondal and Company Limited, Panchayat Road, Post Office Chirkunda, District Dhanbad.	1,08,800
7.	New Gobindpur	New Gobindpur Colliery, Post Office Sonardih, District Dhanbad.	Ghoh's Estate Private Limited, 33, Canning Street, Calcutta — 1.	1,12,500
8.	New Standard Lodna	New Standard Lodna Colliery, Post Office Jharia, District Dhanbad.	Messrs. Singh Sachdeva, Post Office Dhansar, Dhanbad.	1,05,000
9.	New Sudamdih	New Sudamdih Colliery, Post Office Patherdih, District Dhanbad.	Sanjive Coke Manufacturing Company, C/o H. D. Adjmera, Post Office Patherdih, Dhanbad.	3,21,000
10.	North Kujama	North Kujama Colliery, Post Office Jharia, District Dhanbad.	Beehive Hard Coke Manufacturing Company, Chowra Construction Company Private Limited, 111, Central Avenue, Calcutta.	2,57,500
11.	Ramkanaly	Ramkanaly Colliery, Post Office Katrasgarh, District Dhanbad.	Bijali Kanti Roy, Keshalpur House, Post Office Katrasgarh, Dhanbad and M. C. Coal Company, Post Office Jharia, Dhanbad.	2,02,000
12.	Union Angarpathra	Union Angarpathra Colliery, Post Office Katrasgarh, District Dhanbad.	Satyadeo Singh Coal Company (Private) Limited, 138, Biplabi Rash Bihari Basu Road, Calcutta — 1.	1,84,000

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